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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/363,062 07/29/99 VIANO

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EXAMINER

WINNER, T

ART UNIT

PAPER NUMBER

3618

DATE MAILED:

10/12/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/363,062**

Applicant(s)  
**Viano et al.**

Examiner  
**Tony Winner**

Group Art Unit  
**3618**



☒ Responsive to communication(s) filed on 8/1/00

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Acknowledgment*

1. The preliminary amendment filed 8/1/00 has been acknowledged and entered.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sutherland (6,123,355), in view of Suyama et al. (5,575,497).

Sutherland discloses a frontal air bag system for a vehicle comprising an inflator (16) ) mounted to vehicle structure (figure 2) and an air bag (22) operatively connected to the inflator and solely mounted to a pillar (col 2, lines 27-29) of the vehicle. Sutherland lacks the teaching of an air bag that is inflated by the inflator and extended downward and sideways in front of an occupant seated in the vehicle.

Suyama (figure 7C) shows that the inflator is mounted in the roof region and when the air bag is inflated by the inflator and extended downward and sideways in front of an occupant seated in the vehicle.

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Based on the teaching of Suyama, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the air bag system of Sutherland to include the air bag of Suyama so as to provide better protection to the occupant during a frontal collision or side impact.

With respect to claim 2, Sutherland as modified by Suyama meet all of the claim limitations.

3. Claims 4, and 6-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sutherland (6,123,355) in view of Suyama et al. (5,575,497), as applied to claim 1 above, and further in view of Yamada (5,884,937).

Sutherland as modified by Suyama is disclosed above but lacks the teaching of a remote inflator that is attached to the air bag via the diffuser.

Yamada discloses an inflator thas is remotely located on the vehicle structure and is connected to the air bag via a hollow tube diffuser which is located along the pillar.

Based on the teaching of Yamada, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the air bag system of Sutherland as modified by Suyama to include the inflator of Yamada so as to provide the A-pillar with additional space to accommodate the air bag.

With respect to claim 8, Sutherland as modified by Suyama shows the air bag is mounted to the pillar on a driver side of the vehicle.

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With respect to claim 9, Sutherland as modified by Suyama shows the air bag is mounted to the pillar on a passenger side of the vehicle.

With respect to claim 10, Sutherland as modified by Suyama shows the air bag is generally circular shape.

With respect to claim 11, as interpreted by the Examiner, Sutherland as modified by Suyama shows the air bag is generally shape.

With respect to claims 12-17, Sutherland as modified by Suyama meet all of the claim limitations.

4. Claims 3, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sutherland ('937) as modified by Suyama et al. ('497) and Yamada ('937) as applied to claims 1 and 17 above, and further in view of Wipasuramonton et al. (5,615,909).

With respect to claims 3 and 18, Sutherland as modified by Suyama and Yamada are disclosed above and lack the teaching of a neck portion of the air bag that is connected to at least one panel. Wipasuramonton show a neck portion for his air bag (figure 6).

Based on the teaching of Wipasuramonton, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add the neck portion to the air bag system of Sutherland as modified by Suyama and Yamada so as to provide better angle of deployment for the air bag.

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With respect to claim 19, Sutherland as modified by Suyama, Yamada, and Wipasuramonton disclose the neck portion is operatively connected to either one of the diffuser and the inflator.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sutherland ('937) as modified by Suyama et al. ('497) and Yamada ('937) as applied to claims 1 and 4 above, and further in view of Boerger (6,050,596).

Sutherland as modified by Suyama et al., and Yamada are disclosed above and lack the teaching of a hollow tube diffuser having a plurality of apertures. Boerger shows an air bag safety device with a diffuser having a plurality of aperture.

Based on the teaching of Boerger, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add the plurality of aperture to the air bag system of Sutherland as modified by Suyama et al. and Yamada so as to provide a better dispersement of the inflatable gas/fluid.

6. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sutherland ('937) in view of Suyama et al. ('497), Yamada ('937), and further in view of Wipasuramonton et al. (5,615,909).

Sutherland discloses a frontal air bag system for a vehicle comprising an inflator (16) ) mounted to vehicle structure (figure 2) and an air bag (22) operatively connected to the inflator and solely mounted to a pillar (col 2, lines 27-29) of the vehicle. Sutherland lacks the teaching of of a diffuser which is located along the pillar and is connected to the inflator and the air bag. The

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air bag is mounted solely on the pillar and is having at least a neck portion connected to the diffuser. When the air bag is inflated by the inflator the air bag is extended downward and sideways in front of an occupant seated in the vehicle.

Suyama et al. (figure 7C) shows that the inflator is mounted in the roof region and when the air bag is inflated by the inflator and extended downward and sideways in front of an occupant seated in the vehicle.

Based on the teaching of Suyama et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the air bag system of Sutherland to include the air bag of Suyama et al. so as to provide better protection to the occupant during a frontal collision or side impact.

Yamada discloses an inflator that is remotely located on the vehicle structure and is connected to the air bag via a hollow tube diffuser which is located along the pillar.

Based on the teaching of Yamada, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the air bag system of Sutherland as modified by Suyama et al. to include the inflator of Yamada so as to provide the A-pillar with additional space to accommodate the air bag.

Wipasuramonton show a neck portion for his air bag (figure 6).

Based on the teaching of Wipasuramonton, it would have been obvious to one of ordinary skill in the art at the time the invention was made to add the neck portion to the air bag system of

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Sutherland as modified by Suyama et al., and Yamada so as to provide better angle of deployment for the air bag.

***Response to Arguments***

7. Applicant's arguments filed 8/1/2000 have been fully considered but they are moot in view of new ground of rejection.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sutherland ('355), Eyrainer ('421), and Brown ('900) teach similar concept.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,




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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Tony Winner whose telephone number is (703) 306-5957. The examiner can normally be reached on Monday-Friday from 9:00 am to 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

  
**TONYWINNER**  
**PATENT EXAMINER**

October 2, 2000

  
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10/00